

FILED  
CHARLOTTE, N. C.

IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF NORTH CAROLINA

CHARLOTTE DIVISION  
STATESVILLE

NOV 21 2002

DIRECTV, Inc.,

Plaintiff,

v.

BERNARD DAVIDSON,

Defendants.

§

§

§

§

§

§

§

§

§

§

§

§

§

U. S. DISTRICT COURT  
W. DIST. OF N. C.

PLAINTIFF'S MOTION FOR  
ENTRY OF DEFAULT &  
DEFAULT JUDGMENT AGAINST  
DEFENDANT DAVIDSON

Fed. R. Civ. P. 55

Plaintiff, DIRECTV, Inc. ("DIRECTV"), hereby moves pursuant to Rule 55 of the Federal Rules of Civil Procedure that this Court order the entry of default and of judgment by default against Defendant, Bernard Davidson ("Defendant"). In support of its motion, DIRECTV submits its Memorandum of Points and Authorities in Support of its Motion, the affidavit of Leslie C. O'Toole, and the attached exhibits.

DATED this 20<sup>th</sup> day of November, 2002.

ELLIS & WINTERS LLP



Leslie C. O'Toole  
State Bar No. 13640  
Brian J. Schoolman  
State Bar No. 26266  
P.O. Box 33550  
Raleigh, NC 27636  
Telephone: (919) 865-7000  
Facsimile: (919) 865-7010

**CERTIFICATE OF SERVICE**

I, Brian J. Schoolman, do certify that I have served a true and correct copy of the attached motion by depositing a copy thereof in the United States mail, postage prepaid, first class, addressed to the defendant as follows:

Bernard Davidson  
2603 East Broad Street  
Statesville, NC 28625

This the 20<sup>th</sup> day of November, 2002.

  
Brian J. Schoolman